

State of Wisconsin



2011 Senate Bill 107

Date of enactment: **December 7, 2011**
Date of publication*: **December 20, 2011**

2011 WISCONSIN ACT 108

AN ACT *to create* 66.0104 of the statutes; **relating to**: prohibiting ordinances that place certain limits or requirements on landlords.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0104 of the statutes is created to read:
66.0104 Prohibiting ordinances that place certain limits or requirements on a landlord. (1) In this section:

- (a) "Premises" has the meaning given in s. 704.01 (3).
 - (b) "Rental agreement" has the meaning given in s. 704.01 (3m).
 - (c) "Tenancy" has the meaning given in s. 704.01 (4).
- (2) (a) No city, village, town, or county may enact an ordinance that places any of the following limitations on a residential landlord:

- 1. Prohibits a landlord from, or places limitations on a landlord with respect to, obtaining and using or attempting to obtain and use any of the following information with respect to a tenant or prospective tenant:
 - a. Monthly household income.
 - b. Occupation.
 - c. Rental history.
 - d. Credit information.

- e. Court records, including arrest and conviction records, to which there is public access.
 - f. Social security number or other proof of identity.
2. Limits how far back in time a prospective tenant's credit information, conviction record, or previous housing may be taken into account by a landlord.
3. Prohibits a landlord from, or places limitations on a landlord with respect to, entering into a rental agreement for a premises with a prospective tenant during the tenancy of the current tenant of the premises.
4. Prohibits a landlord from, or places limitations on a landlord with respect to, showing a premises to a prospective tenant during the tenancy of the current tenant of the premises.
- (b) No city, village, town, or county may enact an ordinance that places requirements on a residential landlord with respect to security deposits or earnest money or pretenancy or posttenancy inspections that are additional to the requirements under administrative rules related to residential rental practices.
- (3) If a city, village, town, or county has in effect on the effective date of this subsection [LRB inserts date], an ordinance that is inconsistent with sub. (2), the ordinance does not apply and may not be enforced.

* Section 991.11, WISCONSIN STATUTES 2009-10 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].